

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

2/6/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR05-00248JMS

CASE NAME: USA v. (02) Robert Alexander Sigouin
(03) Kevin Patrick Cash

ATTYS FOR PLA: Mark Inciong

ATTYS FOR DEFT: (02) Glenn Choy
(03) Mary Ann Barnard

INTERPRETER:

JUDGE: Kevin S. C. Chang

REPORTER: FTR C5

DATE: 2/6/2006

TIME: 10:35-10:50:41am

COURT ACTION: EP:

1. Motion for Mental Evaluation and Judicial Determination of Competency as to Defendant (02) Robert Alexander Sigouin;
2. Motion for Severance as to Defendant (02) Robert Alexander Sigouin;
3. Joinder by Defendant (03) in Defendant (02)'s Motion for Severance;
4. Defendant (03) Kevin Patrick Cash's Motion for Severance of Defendants for Trial;
5. Status Conference Re: 1) Motion to Dismiss and 2) Motion for Release from Custody filed by defendant (02) Robert Alexander Sigouin

Defendant 02 present, in custody

Defendant 03 present, not in custody

1. Motion for Mental Evaluation and Judicial Determination of Competency as to Defendant (02) Robert Alexander Sigouin. Mr. Choy submits on the written submissions. Mr. Sigouin addresses the court. No opposition by the government and defendant 03 to this motion. The court notes that defendant previously was prepared to enter a guilty plea but then chose not to. The court has a genuine doubt as to defendant 02's competence based on his oral/written statements. Motion for Mental Evaluation granted. Defendant should be evaluated to determine his fitness to proceed with trial. Pursuant to 18 USC 4241(b) and 18 USC 4247(b)(c), the court directs that an examination be conducted. A written report shall be filed by the examiner. Court will exclude time from 2/6/06 until the resolution of the issue of defendant's competency. Status Conference Re: Mental Competency as to defendant 02 set 3/24/06 at 10:30am before Judge Kurren. Government

to prepare the order.

2. Motion for Severance as to Defendant (02) Robert Alexander Sigouin. Motion continued to 3/28/06 at 2:30pm before Judge Kurren
3. Joinder by Defendant (03) in Defendant (02)'s Motion for Severance continued to 3/28/06 at 2:30pm before Judge Kurren
4. Defendant (03) Kevin Patrick Cash's Motion for Severance of Defendants for Trial. Motion continued to 3/28/06 at 2:30pm before Judge Kurren.
5. Status Conference Re: 1) Motion to Dismiss and 2) Motion for Release from Custody filed by defendant (02) Robert Alexander Sigouin. Discussion held.

Court will keep the Final Pretrial Conference date of 2/27/06 at 10:00am before Judge Chang.

Defendant 02 is remanded to the custody of the USMS.

Submitted by: Shari Afuso, Courtroom Manager